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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,)
10)
11 Plaintiff,) Case No.: 2:18-cr-0218-RFB-VCF
12 vs.)
13) STIPULATION TO CONTINUE
14 JOSEPH MICHAEL ROAQUE,) SENTENCING DATE
15)
16 Defendant.) (FIRST REQUEST)
17 _____

18 *Certification:* This stipulation is filed pursuant to General Order 2007-04.

19 IT IS HEREBY STIPULATED AND AGREED, by and between the defendant
20 JOSEPH MICHAEL ROAQUE through his attorney GABRIEL L. GRASSO, ESQ., and the
21 United States of America, through SUSAN CUSHMAN, Assistant United States Attorney,
22 that the sentencing hearing currently scheduled for October 10, 2019, at 3:45 p.m., be
23 vacated and continued to a date and time convenient to this court, but no event earlier
24 than 60 days.

25 Pursuant to General Order No. 2007-04, this stipulation is entered and based upon
26 the following:

27 1. ROAQUE is currently set for sentencing on Thursday, October 10, 2019.
28 2. ROAQUE is in custody and does not oppose to the continuance.
3. The parties agree to the continuance.
4. Denial of this request for continuance would deny the defense sufficient time
to be able to assist in defendant's sentencing and file a Sentencing
Memorandum with the court.

5. Due to scheduling concerns, defense counsel requests the new sentencing date be set after December 10, 2019.

6. This is the first request for a continuance of the sentencing date in this case.

DATED this 9th day of October, 2019.

RESPECTFULLY SUBMITTED BY:

/s/ Susan Cushman
SUSAN CUSHMAN
Assistant United States Attorney

/s/ Gabriel L. Grasso
GABRIEL L. GRASSO
Attorney for ROAQUE

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7 **UNITED STATES DISTRICT COURT**

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10 UNITED STATES OF AMERICA,)
11 Plaintiff,) Case No.: 2:18-cr-0218-RFB-VCF
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13 JOSEPH MICHAEL ROAQUE,) STIPULATION TO CONTINUE
14) SENTENCING DATE
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16 _____)

17 **FINDINGS OF FACT**

18 Based upon the submitted Stipulation, and good cause appearing therefore, the
19 Court finds that:

20 1. ROAQUE is currently set for sentencing on Thursday, October 10, 2019.
21 2. ROAQUE is in custody and does not oppose to the continuance.
22 3. The parties agree to the continuance.
23 4. Denial of this request for continuance would deny the defense sufficient time
24 to be able to assist in defendant's sentencing and file a Sentencing
25 Memorandum with the court.

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CONCLUSIONS OF LAW

Denial of this request for continuance would deny the defense herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking into account the exercise of due diligence.

Additionally, denial of this request for continuance would result in a miscarriage of justice.

ORDER

IT IS ORDERED that the sentencing hearing currently scheduled for October 10, 2019, at 3:45 p.m., be vacated and continued to December 11, 2019, at the hour of 10:00 AM.

IT IS SO ORDERED:



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE

DATED: October 9, 2019